

In re: Sleva et al.
Serial No.: 09/914,682
Filed: February 12, 2002
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REMARKS

This amendment is submitted in reply to the Official Action mailed June 18, 2004 ("the Action"). The Action states that Claims 1-73 are pending in the application. However a Preliminary Amendment filed with the national stage application canceled some of the claims subject to reentry during prosecution, to reduce the initial filing fees. Applicants have added these claims back in and submit the additional fees herewith in light of the Examiner's indication of allowable subject matter. A summary of the correlation of the original claims to the generally corresponding new claims is provided below for the Examiner's reference.

| <u>Original</u> | <u>New</u> |
|-----------------|--------------|
| Claims 71-73 | Claims 74-76 |
| Claims 18-23 | Claims 77-82 |
| Claims 46-50 | Claims 83-87 |
| Claims 58-65 | Claims 88-95 |
| Claims 68-69 | Claims 96-97 |

I. Allowable Subject Matter

Applicants acknowledge with appreciation, the Examiner statement at page 3 of the Action that Claims 2, 4, 6-25, 34, 37-44, 54-56, 66, 67 and 70-73 would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claim.

However, Claim 70 is an independent claim and Applicants believe the Action meant to state that Claims 70-73 (original Claim 70 and new Claims 74-76) are allowed. Similarly, Claims 37 and Claim 44 are independent claims, and Applicants believe that the Action meant to state that Claims 37 (and dependent claims 38-43) and Claim 44 are allowed. Accordingly, Applicants respectfully submit that original Claims 70, 74-76 and Claims 37-44 are in condition for allowance, which action is respectfully requested.

Applicants have amended Claim 2 to place it in independent form. Claim 4 depends from Claim 2. Hence, Claims 2 and 4 are in condition for allowance. Claims 6-17, 24 and 25 depend from Claim 2 directly or indirectly and are in condition for allowance. Claims 18-23 have been generally reentered above as new Claims 77-82. Claim 18 (now Claim 77) has been

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amended to incorporate the base claim and recite the sensor element features of original Claim 18. Claims 19-23 (renumbered as new Claims 77-82) depend directly or indirectly from Claim 77 and Applicants respectfully submit are therefore also in condition for allowance.

The subject matter of Claim 34 (stated to have allowable subject matter) has been added to Claim 26 and Claim 34 canceled above. It is noted that original Claim 34 incorrectly depended from dependent Claim 25 instead of Claim 26, and Applicants have incorporated the subject matter into independent Claim 26. As such, Claims 26-36 are in condition for allowance.

Claim 54 has been amended to incorporate the subject matter of Claim 45. Claims 55 and 56 depend from Claim 54. Thus, Claims 54-56 are in condition for allowance.

Claim 66 has been rewritten into independent form (and removes the recitation to Claim 45). Claim 67 depends from Claim 66. Applicants respectfully submit that Claims 66 and 67 are in condition for allowance.

II. The Art rejections

The Action rejects the other claims as being anticipated by or obvious in view of US 5,831,492 to Soile ("Soile"). Applicants respectfully disagree.

Claims 1 and 3 have been amended above to more particularly recite the claimed invention and Applicants submit these claims are patentable over the cited art.

The Action states that Claim 45 (and new claims 83-87) are anticipated by Soile. However, Claim 45 recites:

An acoustic sensor array, comprising:
a plurality of unitary acoustic sensor elements;
a plurality of transmission lines having opposing first and second ends and defining a length therebetween, a respective one transmission line for each of said plurality of unitary acoustic sensors, said transmission line first end individually attached to a respective one of said acoustic sensor elements; and
wherein each of said transmission lines is configured with a series of undulations along its length.

Applicants were unable to find where Soile teaches or suggests that the transmission line(s) include a series of undulations along its length. Applicants respectfully submit that

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Claims 45 and 83-87 are patentable over the cited art. Similarly, original method claims 68-69 (new claims 96 and 97 also recite this feature) and new Claim 94 (corresponding to original Claim 64) and are also patentable over the cited art for at least this reason. If the Examiner disagrees, Applicants request a more particular citation to where the reference teaches such a feature.

Similarly, with respect to Claim 57 (and dependent Claims 88-95), Applicants were unable to find where Soile teaches or suggests a carrier member.

Claim 57 recites:


An acoustic sensor array, comprising:
a plurality of compliant sensor elements having first and second outer surfaces, said first outer surface configured to attach to a subject such that it is substantially conformal to the subject; and
a carrier member releasably attached to said second outer surface of each of said plurality of sensor elements to hold said plurality of sensors in alignment during positioning on a subject, wherein said carrier member is disengaged from said sensor elements after said sensor elements are attached to a desired location on the subject without causing said sensor elements to move from the desired location.

Applicants respectfully submit that Claims 57 and 88-95 are patentable for at least the recited carrier member feature.

III. Conclusion

Applicants respectfully submit that this application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

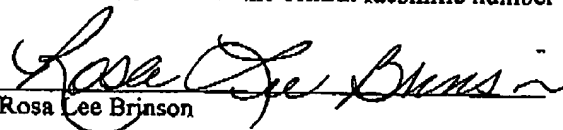

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